

## CHAPTER 2

### DEFINITIONS

#### Sec. 2-1. Rules of Construction

For the purpose of this Ordinance certain terms and words are herein defined as follows:

Words in the present tense include the future; words in the singular number include the plural number and words in the plural number include the singular number; the words "shall" and "should" are mandatory and not directory; the word "may" is discretionary; the word "building" includes the word "structure;" the word "lot" includes the word "plot;" the word "land" includes the words "marsh" and "water." The word "person" shall be held to mean an individual, a firm, a trust, a partnership, a corporation or association.

#### Sec. 2-2. Accessory Building.

The words "accessory building" shall be construed to mean a building or structure subordinate to the main building or use on the same lot and serving a purpose clearly incidental and related to the main building or use. Where any part of a wall of the accessory building is attached to the main building, such accessory building shall be counted as a part of the main building.

##### Sec. 2-2.01. Accessory Use.

The words "accessory use" shall be construed to mean a subordinate use, clearly incidental and related to the principal structure, building, or use of land, and located on the same lot as that of the principal structure, building, or use.

##### Sec. 2-2.02. Active Recreation Area.

The words "active recreation area" shall be construed to mean that portion of the green area provided in townhouse or multiple dwelling developments that is intended to, and can support physical recreation activities or facilities.

##### Sec. 2-2.03. Accessory Structure.

The words "accessory structure" shall be construed to mean a subordinate use, clearly incidental and related to the principal structure, building, or use of land, and

located on the same lot as, that of the principal structure, building, or use. (amended 7/9/97)

#### Sec. 2-2.04. Adult Care Residence

The words "adult care residence" shall be construed to mean any residential facility for the maintenance or care of adults, licensed by the Virginia Department of Social Services, when applicable. Three (3) categories shall be established:

- (a) Adult Care Residence 1 (ACR1) shall be defined as a facility housing no more than three (3) residents;
- (b) Adult Care Residence 2 (ACR2) shall be defined as a facility housing no less than four (4) but no more than eight (8) residents; and
- (c) Adult Care Residence 3 (ACR3) shall be defined as a facility housing nine (9) or more residents.

ACR1 is not required to be licensed by the Virginia Department of Social Services. (10/27/99)

#### Sec. 2-2.1. Adult Entertainment Establishment

The words "adult entertainment establishment" shall be construed to mean any establishment which provides entertainment products or services, such as, but not limited to books and films, and which is customarily not open to the public generally, by excluding any minor by reason of age, and whose products or services are harmful to juveniles. For the purposes of this Ordinance, "harmful to juveniles" and its defining terms shall be as defined in Title 18.2, Chapter 8, Article 6 of the Code of Virginia, 1950, as amended.

#### Sec. 2-3. Alley.

The word "alley" shall be construed to mean a dedicated public right of way less than thirty (30) feet wide between property lines.

#### Sec. 2-4. Altered.

The word "altered" shall be construed to mean the relocation or addition to a building by the location of walls, columns, or steps or other structures which change the exterior dimensions.

Sec. 2-4.1. Amusement Center.

The words "amusement center" shall be construed to mean any establishment whose principal source of income is the provision of coin operated amusement machines.

Sec. 2-5. Apartment.

The words "apartment" shall be construed to mean a room or suite of two (2) or more rooms, either of which is designed or intended for occupancy and housekeeping by one (1) family.

Sec. 2-6. Apartment Hotel.

The words "apartment hotel" shall be construed to mean any building which is used in part as a hotel and in part as an apartment house, as defined by this Ordinance.

Sec. 2-7. Apartment House.

The words "apartment house" shall be construed to mean any building or portion thereof which contains three (3) or more apartments, and all housekeeping units thereof which are intended to be or are maintained under single ownership or management. This shall be interpreted to include cooperative apartment houses.

Sec. 2-8. Automobile Parking Lot.

The words "automobile parking lot" shall be construed to mean any premises, enclosures, or space, except such as are defined as a commercial garage, used for the storage and keeping of motor vehicles in such a manner which complies with all applicable parking provisions of this Ordinance and which are open to the public.

Sec. 2-9. Automobile Service Station.

The words "automobile service station" shall be construed to mean any building, structure, enclosure or premises used for the repairing and servicing of motor vehicles. Outdoor storage of vehicles is restricted to designated parking spaces on a paved surface, and limited to sixty (60) days for vehicles not used in the operation of the station.

Sec. 2-10. Automobile Wrecking.

The words "automobile wrecking" shall be construed to mean the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled,

partially dismantled, obsolete or wrecked vehicles or their parts.

Sec. 2-11. was repealed 8/10/88.

Sec. 2-11.1. Bed & Breakfast (see Tourist Home)(10/27/99)

Sec. 2-12. Boarding House.

The words "boarding house" shall be construed to mean a building or premises where meals are regularly served by pre-arrangement for compensation for five (5) or more persons, not open to transient guests in contradistinction to hotels, restaurants and tourist homes, which are open to transients.

Sec. 2-12.1. Buildable Acreage.

The words "buildable acreage" shall be construed to mean that portion of the total acreage of a lot or property that can adequately support physical improvements; specifically excluding tidal wetlands and the area of existing ponds, lakes, rivers, streams or other impounded water bodies, and used to determine the density of all townhouse and multiple dwelling developments.

Sec. 2-13. Building.

The word "building" shall be construed to mean a structure having a roof supported by column or walls for the shelter, support, or enclosure of persons, animals, or chattel. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate building.

Sec. 2-14. Building, Demountable Prefabricated.

The words "building, demountable prefabricated" shall be construed to mean a building or structure erected in panel sections which may be dismantled and re-erected in sections.

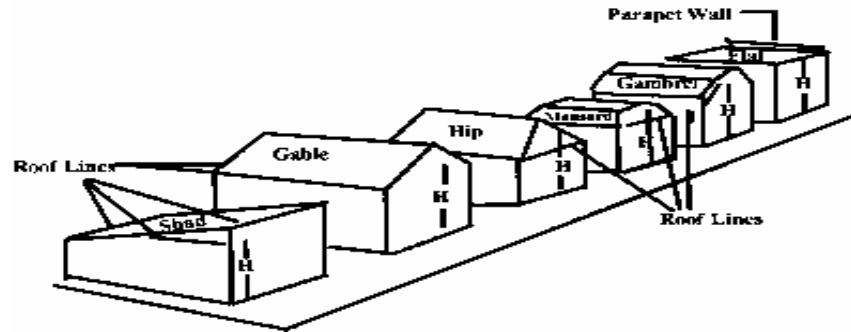
Sec. 2-15. Building, Front of.

The words "building, front of" shall be construed to mean the wall of a building most nearly parallel with and adjacent to the front of the lot on which it is situated.

Sec. 2-16. Building Height.

The words "building height" shall be construed to mean the vertical distance measured from the finished grade to

the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the main height level between eaves and ridge for a gable, hip, or gambrel roof, as diagrammed below. If built on a terrace, the height of the building may be increased by the height of the terrace, but this increase of height shall not exceed five (5) feet.



Sec. 2-17. Building Line.

The words "building line" shall be construed to mean the line between which and the front lot line, this Ordinance prohibits buildings or parts of buildings to be erected. For the purpose of this Ordinance existing porches shall not be considered the front of a building to establish the front yard line.

Sec. 2-18. Building Line Setback.

The words "building line setback" shall be construed to mean the distance between the building line and the front lot line or proposed highway right-of-way line, as set forth in Section 18-15.1 hereof.

Sec. 2-19. Building, Main.

The words "building, main" shall be construed to mean a building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling or apartment shall be deemed to be a main building on the lot on which the same is situated.

Sec. 2-19.1. Carnival.

The word "carnival" shall be construed to mean an itinerant group of persons and equipment primarily in the business of furnishing entertainment, in the combined form of gaming devices, side shows, and riding devices, operated independent of any local facility, commercial establishment, or non-profit organization.

Sec. 2-19.2. Club or Lodge, Private (Includes Fraternal or Trade Organizations).

The words "private club or lodge" shall be construed to mean buildings and facilities owned or operated by a corporation, association, person or persons for a social, service, educational, or recreational purpose, but not primarily for profit and not primarily to render a service which is customarily carried on as a business.

Sec. 2-19.3. Coin-Operated Amusement Machine.

The words "coin-operated amusement machine" shall be construed to mean any machine, activated by insertion of a coin or token, which provides recreation, amusement, or entertainment, whether active or passive, and access to which is not legally restricted on the basis of age, except that this term shall not include machines whose sole function is the playing of music or the dispensing of food, tobacco, or beverage, nor shall it include coin-operated pool tables in a pool hall.

Sec. 2-19.4. Commercial Vehicle.

The words "commercial vehicle" shall be construed to mean any vehicle used in the conduct of a business or government function with such identification thereon, or any vehicle registered as a commercial or government vehicle; such as, but not limited to step vans, tow trucks, pickup trucks, etc. Certain commercial vehicles are specifically exempted under this section, namely automobiles, station wagons, and buses used for the transportation of students (public and private schools). (10/24/90)

Sec. 2-19.5. Communication Tower, Commercial.

The words "commercial communication tower" shall be construed to mean any structure erected on a lot or attached to another structure that supports broadcast or receiving equipment of any frequency or electromagnetic wave, or any system of wires, poles, roads, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves, for use by any commercial enterprise. The height of such tower shall be measured from the highest point of the tower to the ground level directly beneath the highest point. (7/10/96)

Sec. 2-19.6. Communication tower, Noncommercial.

The words "noncommercial communication tower " shall be construed to mean any structure erected on a lot or attached to another structure that supports broadcast or receiving

equipment of any frequency or electromagnetic wave, or any system of wires, poles, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves for governmental or private/nonprofit use. Such uses may include, but are not limited to amateur radio. The height of such tower shall be measured from the highest point of the tower to the ground level directly beneath the highest point, except, that if attached to a building, the height shall be measured to the floor of the first floor level of the building, or if attached to the roof of a building, the height shall be measured from the roof to the furthest appendage of the tower. (7/10/96)

Sec. 2-19.7 Building-Mounted Antenna, Commercial.

The words "commercial building-mounted antenna" shall be construed to mean any structure affixed to a building that supports broadcast or receiving equipment of any frequency or electromagnetic wave, or any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves, for use by any commercial (for profit) enterprise. For the purpose of this ordinance, antenna used to support two-way radio communication between a main commercial user and vehicles used in the operation of that use and antenna used to support public utility equipment are not considered commercial building-mounted antenna. (amended 7/10/97)

Sec. 2-20. Deleted 12/13/95.

Sec. 2-21. Dance Hall, Public.

The words "public dance hall" shall be construed to mean any place open to the general public, where dancing is permitted, to which an admission fee is charged, or for compensation in any manner received either directly or indirectly by cover charge or otherwise, or where refreshment or food or any form of merchandise are served for compensation, before, during, or after dancing. The sale of any refreshments, food, or any form of merchandise at such place or the exhibition or offering of such for sale shall be deemed direct compensation for any such dance hall within the meaning of this section.

Private clubs are excluded from this definition provided attendance at a dance is limited to bona fide members of such club and bona fide guests of such members. If tickets to dances held by or at a private club are sold or given to the general public, then the club shall be classified as a public dance hall and shall conform with such requirements as are applicable thereto.

Sec. 2-21.1. Deleted 1/11/95.

Sec. 2-21.2. Deleted 10/27/99

Sec. 2-21.3. Day Care.

The words "day care" shall be construed to mean any facility, including an occupied residence, that receives children or adults for day care. Such care is limited to less than twenty four (24) hours per day per client. The number of clients is exclusive of any children or adults living in a residence used for such care. Three (3) categories shall be established:

- (a) Day Care 1 (DC1) shall be defined as the care of no more than five (5) clients in an occupied, detached, single family residence;
- (b) Day Care 2 (DC2) shall be defined as the care of no less than six (6) but no more than nine (9) clients in an occupied, detached, single family residence; and
- (c) Day Care 3 (DC3) shall be defined as the care of ten (10) or more clients in an occupied, detached, single family residence or the care of any number of clients in any place other than an occupied, detached, single family residence. (10/27/99)

Sec. 2-21.4. Detention Facility.

The words "detention facility" shall be construed to mean any residential facility, operated under the standards of the Department of Juvenile Justice, that houses juveniles who have been arrested or charged, but no yet convicted. (10/27/99)

Sec. 2-22. Dog Kennel.

The words "dog kennel" shall be construed to mean any premises with enclosures where more than two (2) dogs not owned by the residents are kept for treatment or boarding purposes.

Sec. 2-23.1. Duplex Unit.

The words "duplex unit" shall be construed to mean one (1) of the two (2) dwelling units contained in a duplex dwelling.

Sec. 2-23.2. Duplex Dwelling.



The words "duplex dwelling" shall be construed to mean a dwelling containing two (2) dwelling units, attached by a common vertical fire-resistant wall, with each unit on a separate lot.

Sec. 2-23.3. Dwelling.

The word "dwelling" shall be construed to mean a structure which is used exclusively for human habitation.

Sec. 2-23.3.01.Dwelling Area.

The words "dwelling area" shall be construed to mean the gross heated floor area of a dwelling unit, exclusive of any hallways between units.

Sec. 2-23.4. Dwelling Unit.

The words "dwelling unit" shall be construed to mean a structure or portion thereof containing one (1) or more rooms, including bathroom and kitchen facilities, which are arranged, designed, or used as living and sleeping quarters for one (1) family.

Sec. 2-24, 2-25, and 2-26 were repealed 4/14/82.

Sec. 2-27. Family.

The word "family" shall be construed to mean (1) an individual living alone in a dwelling unit; or (2) any of the following groups of persons living together and sharing living areas in a single dwelling unit:

- (a) two (2) or more persons related by blood, marriage, adoption or approved foster care;
- (b) a group of not more than four (4) persons who need not be related by blood, marriage, adoption or approved foster care;
- (c) Adult Care Residence 1;
- (d) Day Care 1;
- (e) Group Home 1;
- (f) Juvenile Residence 1; and
- (g) a group of not more than two (2) adults who need not be related by blood or marriage, and the

children of each of the two (2) adults. (10/27/99)

Sec. 2-28. Flammable Liquids.

The words "flammable liquids" shall be construed to mean any liquid having a flash point below two hundred (200) degrees F and having a vapor pressure not exceeding forty (40) pounds per square inch (absolute). (Further data on flammable liquids can be found in the Fire Prevention Ordinance Code.)

Sec. 2-29. Garage, Commercial.

The words "commercial garage" shall be construed to mean any building or structure owned and operated by a private entity, used for the storage or keeping of motor vehicles, open to the public, and for which storage or keeping a charge is made. This shall not be interpreted to apply to garages built and used solely in conjunction with apartments and hotels.

Sec. 2-30. Garage, Private.

The words "private garage" shall be construed to mean a detached accessory building or space used for the purpose of parking or temporary storage of automobiles of occupants of the premises except that one (1) space may be used by the private automobile of persons not residents of the premises.

Sec. 2-30.1. Garage Sale or Yard Sale.

The words "garage sale or yard sale" shall be construed to mean the sale by a resident conducted on the premises of tangible personal property belonging to the owner or occupant of such property; provided, however, this shall not apply to a rummage sale.

Sec. 2-31. Gasoline Supply Station.

The words "gasoline supply station" shall be construed to mean any building, structure, premises, enclosure, equipment, or space used for the dispensing, sale, or offering for sale to the public of any gasoline or oils, or other type fuels for motor vehicles, including the washing (except steam cleaning) and greasing of motor vehicles and minor repairs thereto, such as replacing headlight bulbs, spark plugs, and tire changing. Outdoor storage of vehicles is restricted to designated parking spaces on a paved surface, and limited to sixty (60) days for vehicles not used in the operation of the station.

Sec. 2-31.1. Group Home.

The words "group home" shall be construed to mean a residential facility for mentally ill, mentally retarded or developmentally disabled persons, for which the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services is the licensing authority. Mental illness and developmental disability does not include the current illegal use of or addiction to a controlled substance, as defined by the Code of Virginia. Two (2) categories shall be established:

- (a) Group Home 1 (GH1) shall be defined as a facility housing no more than eight (8) residents; and
- (b) Group Home 2 (GH2) shall be defined as a facility housing nine (9) or more residents. (10/27/99)

Sec. 2-31.2. Deleted 12/13/95.

Sec. 2-32. Guest House or Servant Quarters.

The words "guest house" or "servant quarters" shall be construed to mean living quarters within a detached accessory building located on the premises with the main building, for use by either guests or domestic help of the occupants of the premises.

Sec. 2-33. Habitable Room.

The words "habitable room" shall be construed to mean a room or enclosed floor space arranged for living, eating, or sleeping purposes, not including bath or toilet rooms, laundries, pantries, storerooms, foyers, halls or communicating corridors. Habitable rooms shall contain not less than seventy (70) square feet of floor space.

Sec. 2-33.1. Deleted 10/27/99

Sec. 2-33.2. Halfway House.

The words "halfway house" shall be construed to mean any residential facility for individuals suffering from drug or alcohol abuse while they are undergoing rehabilitative treatment; such treatment shall not include detoxification. Such facility shall not include group homes as defined in this Ordinance. (10/27/99)

Sec. 2-34. Home Occupation.

The words "home occupation" shall be construed to mean occupations limited to the following: dressmaking; preserving or home cooking; the office of a physician, surgeon, lawyer, registered engineer, dentist, musician, artist, accountant, or architect; provided that any such occupation does not occupy more than two hundred (200) square feet of floor area, but not including a beauty parlor, barber shop, convalescent or nursing home, tourist home, massage parlor or similar establishment offering service to the general public. Home occupations shall be carried on only by a member of the family residing on the premises, and no mechanical equipment shall be used except such as is customary for purely domestic household purposes; provided that mechanical equipment customarily used by physicians, surgeons, or dentists shall be allowed, and provided further, no sign exceeding one hundred forty-four (144) square inches in area shall be displayed, nor any artificial lighting of such sign, nor any display that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling.

Sec. 2-35. Deleted 12/13/95.

Sec. 2-36. Hotel.

The word "hotel" shall be construed to mean any building or portion thereof which contains ten (10) or more sleeping rooms which are designated or intended to be used, let, or hired out primarily for transient occupancy for compensation, whether the compensation be paid directly or indirectly, and in which no provision is made for cooking in any individual room or suite.

Sec. 2-37. Housekeeping Unit.

The words "housekeeping unit" shall be construed to mean a dwelling unit organized as a single entity in which members share common kitchen facilities and have access to all parts of the dwelling unit.

Sec. 2-37.1. Juvenile Residence.

The words "juvenile residence" shall be construed to mean a residential facility for juveniles, but not to include orphanages, shelters, detention facilities, group homes or halfway houses, as defined in this Ordinance. There shall be three (3) categories established:

- (a) Juvenile Residence 1 (JR1) shall be defined as a facility housing no more than three (3) residents;

- (b) Juvenile Residence 2 (JR2) shall be defined as a facility housing no less than four (4) but no more than eight (8) residents;
- (c) Juvenile Residence 3 (JR3) shall be defined as a facility housing nine (9) or more residents.  
(10/27/99)

Sec. 2-38. Loading Space, Off-Street.

The words "off-street loading space" shall be construed to mean an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of vehicles while loading or unloading merchandise or material and which has access to a street, alley, or other appropriate means of ingress and egress.

Sec. 2-39. Lot.

The word "lot" shall be construed to mean a parcel of land either occupied or vacant, or to be occupied by a building or group of buildings and accessory buildings, and used together with such yards and other open spaces as are required by this Ordinance. A lot may be land so recorded in a deed or on a plat of record, or it may include parts of, or a combination of such lots when adjacent to one another, provided such ground is used for one improvement. All lots shall front on and have ingress and egress by means of a public right-of-way, except as herein otherwise provided. For the purposes of townhouse and multiple dwelling development, the lot shall be that land enclosed by the project property lines, as defined in Section 2-49.1.5 herein.

Sec. 2-40. Lot, Corner.

The words "corner lot" shall be construed to mean a lot abutting on two (2) or more streets at their intersection.

Sec. 2-41. Lot Depth.

The words "lot depth" shall be construed to mean the mean distance between front and rear lot lines as reduced by any regularly adopted right-of-way line in the Comprehensive Street Plan which includes a part of the front or rear of the lot.

Sec. 2-41.1. Lot, Fee-Simple.

The words "fee-simple lot" shall be construed to mean a lot created within the project property lines of a townhouse or multiple dwelling development for individual ownership.

Sec. 2-42. Lot, Interior.

The words "interior lot" shall be construed to mean a lot other than a corner lot.

Sec. 2-43. Lot, Through.

The words "through lot" shall be construed to mean a lot having frontage on two (2) approximately parallel streets.

Sec. 2-44. Lot Width.

The words "lot width" shall be construed to mean the distance between the side lot lines, measured at right angles to the depth at a point midway between the front and rear lot lines, as reduced by any regularly adopted right-of-way line in the Comprehensive Plan which includes a part of the lot. In the case of wedged shaped or irregularly shaped lots, the distance between the side lot lines shall be measured at the building setback line.

Sec. 2-45. Mobile Home.

The words "mobile home" shall be construed to mean a residence, housecar trailer, camp car, or any portable or moveable vehicle or other vehicle on wheels, skids, rollers, propelling apparatus, which is, can or may be used for dwelling, housekeeping or sleeping purposes.

Sec. 2-45.1. Manufactured Home.

The words "manufactured home" shall be construed to mean a structure subject to federal regulation, which is transportable in one or more sections; is eight (8) body feet or more in width and forty (40) body feet or more in length in the traveling mode, or is three hundred twenty (320) or more square feet when erected on site; is built with a permanent chassis; is designed to be used as a single family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air conditioning and electrical systems contained in the structure.

Sec. 2-45.2. Manufactured/Mobile Home Park.

The words "manufactured/mobile home park" shall be construed to mean a development where all manufactured/mobile home sites and any common area are under the ownership of one entity and the lots are rented to individuals for the siting of manufactured/mobile homes. The ownership of the individuals units within the development shall not affect this designation.

Sec. 2-45.3      Manufactured/Mobile Home Subdivision.

The words " manufactured/mobile home subdivision" shall be construed to mean a development where all manufactured/mobile home sites are fee-simple lots, all dwelling units are attached to permanent foundations, and any common area within the development is under the ownership of a homeowners association. All manufactured/mobile homes within the subdivision shall be under the ownership of the person or corporation owning the lot on which the unit is located.

Sec. 2-46 was repealed 10/23/91.

Sec. 2-47.          Motel.

The words "motel," "motor court," "motor inn," "motor lodge," "motor hotel," "tourist court," "auto court," or words of similar description shall be construed to mean a building or group of attached or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists, or transients, with garage attached or parking space conveniently located to each unit.

Sec. 2-47.1.      Multi-family Dwelling.

The words "multi-family dwelling" shall be construed to mean a dwelling containing three (3) or more dwelling units.

Sec. 2-48.          Nonconforming Use.

The words "nonconforming use" shall be construed to mean land, building, and structures, and the use thereof, which was permissible under any previous Zoning Ordinance at the effective date of this Ordinance, and which does not conform to the regulations and restrictions prescribed for the district in which they are situated.

Sec. 2-48.05.      Nursing Home.

The words "nursing home" shall be construed to mean any facility or any identifiable component of any facility licensed by the State Board of Health in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of four or more nonrelated individuals, including facilities known by varying nomenclature or designation such as convalescent homes, skilled nursing facilities or skilled care facilities, intermediate care facilities, extended care facilities, assisted living and nursing or nursing care facilities. (10/27/99)

Sec. 2-48.1. Open Space.

The words "open space" shall be construed to mean a parcel of land or an area of water or combination thereof, designated and limited within a development site as being intended for the recreational use (passive and active) and enjoyment of the residents. Open space shall not include streets, alleys, off-street parking or loading areas, areas held in fee-simple lots or other facilities dedicated as either private or public right-of-way.

Sec. 2-48.1.01. Orphanage.

The word "orphanage" shall be construed to mean a facility that houses juveniles that have lost their parents due to death. Such housing may be until the age of eighteen (18), or in preparation for adoption, but does not include households with foster children. (10/27/99)

Sec. 2-48.1.1 Outdoor Material Storage.

The words "outdoor material storage" shall be construed to mean the open air stockpiling of any materials, for use on- or off-site, or for sale, to include, but not be limited to, sand, gravel, pipe, and concrete block, but not to include equipment or vehicle storage; freight containers, which are a portable, weather-resistant receptacle designed for and used in multi-modal shipment of goods, wares, or merchandise, including receptacles originally designed for the transport of goods but not currently used for such purposes; the trailers from tractor trailers are included under this definition. The number of containers stacked vertically must be equaled or exceeded by the number of containers placed side-by-side, to a maximum of 3 containers stacked vertically. Additionally, the stacked containers shall comply with the wind load requirements of the Building Code. (5/26/04)

Sec. 2-48.1.01. Physical Recreational Amenity.



The words "physical recreational amenity" shall be construed to mean those structures or facilities used primarily for recreation, such as, but not limited to, clubhouses, pools, tennis courts, tot lots and play equipment.

Sec. 2-48.1.2. Parking Lot, Commercial.

The words "commercial parking lot" shall be construed to mean any property or lot owned and operated by a private entity, used for the storage or keeping of motor vehicles, open to the public, and for which storage or keeping a charge is made. This shall not be interpreted to apply to lots used solely in conjunction with apartments and hotels.

Sec. 2-48.2. Principal Use.

The words "principal use" shall be construed to be the main or primary use of a building or lot.

Sec. 2-49. Professional Office Building.

The words "professional office building" shall be construed to mean a building used for the offices of physicians, surgeons, dentists, lawyers, accountants, architects, and registered engineers.

Sec. 2-49.1. Promotional Events.

The words "promotional event" shall be construed to mean any event including, not limited to, small mechanized or animal rides, displays, exhibits, sporting events, giveaways, contests, or any similar events or combinations thereof with the primary purpose of either promoting or advertising a commercial establishment or group of establishments, and incidental thereto, or functioning as a fund raising event for a non-profit organization. Any such event which takes place within a completely enclosed permanent structure shall not be considered a promotional event for the purpose of this Ordinance.

Sec. 2-49.1.5. Project Property Line.

The words "project property line" shall be construed to mean the boundaries of an entire multi-family or townhouse development.

Sec. 2-49.2. Deleted 10/25/95.

Sec. 2-49.3. Deleted 10/27/99.

Sec. 2-50. Rooming House.

The words "rooming house" shall be construed to mean a building or premises other than a hotel where lodging is offered by prearrangement for definite periods for compensation, of five (5) or more persons, not open to transient guests, in contradistinction to hotels, motels, or tourist homes open to transients.

Sec. 2-50.1. Rummage Sale.

The words "rummage sale" shall be construed to mean the sale by a corporation, trust, church, association, community chest, fund, or foundation, organized and operated for religious, charitable, scientific, literary, community, or educational purposes, of tangible personal property to obtain money for some charitable purpose.

Sec. 2-50.2. Satellite Earth Stations (or Dish Antennas).

The words "satellite earth stations" shall be construed to mean a combination of (1) antenna or dish antenna whose purpose is to receive communication or other signals from orbiting satellites and/or other extra-terrestrial sources; (2) a low noise amplifier which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals; (3) a coaxial cable whose purpose is to carry the signals into the interior of the building. For purposes of administering the Ordinance, these improvements shall be considered an accessory structure. (amended 7/9/97)

Sec. 2-51. was repealed 8/10/88.

Sec. 2-52. was repealed 11/8/89.

Sec. 2-52.1. Shelter.

The word "shelter" shall be construed to mean any facility that provides temporary or emergency housing for individuals in need, including facilities for the homeless and/or victims of abuse or neglect. (10/27/99)

Sec. 2-53. Street.

The word "street" shall be construed to mean a dedicated and accepted right-of-way, fifty (50) feet or more in width and including such streets of lesser width as have been dedicated and accepted prior to the adoption of this Ordinance.

The various classifications of streets shall be defined as follows:

Arterial Street. Those streets to be used primarily for fast or high-volume traffic; for efficient, safe, and direct connection to, or separation of,

neighborhoods; for circulation to destinations outside the residential area.

Collector Street. Those streets which carry traffic from minor collector streets and residential streets to the major system of arterial streets.

Minor Collector Street. Those streets which carry traffic from residential streets to collector streets and include the principal entrance streets for major circulation within a residential development.

Residential Street. Those streets which are used primarily for access to the abutting residential properties and are designed to discourage their use by through traffic. (Cross reference: Subdivision Ordinance, Chapter 35-74.)

#### Sec. 2-54. Structure.

The word "structure" shall be construed to mean anything constructed or erected, which requires location on or in the ground, or attached to something having location on the ground.

##### Sec. 2-54.1. Substandard Lot.

The words "substandard lot" shall be construed to mean a lot which met the frontage and area requirements in effect at the time the lot was recorded, but which no longer meets all those requirements.

#### Sec. 2-55. Tourist Home/Bed & Breakfast.

The words "tourist home/bed & breakfast" shall be construed to mean a building or portion thereof containing not more than nine (9) sleeping rooms, in which board or room, or both, are offered to the traveling public for compensation, open to transients in contradistinction to a rooming or boarding house. (10/27/99)

##### Sec. 2-55.1. Townhouse.

The word "townhouse" shall be construed to mean a dwelling unit in a row of at least three (3) such units, in which each has its own front and rear exposure to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common vertical fire-resistant walls.

Sec. 2-55.2. Two-family Dwelling.

The words "two-family dwelling" shall be construed to mean a structure on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from the ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell to both dwelling units.

Sec. 2-55.3. Use Group.

The words "use group" shall be construed to mean one of the four categories of similar or related uses permitted in the various zoning districts - (1) single family and duplex dwellings and community facilities; (2) multi-family dwellings; (3) commercial uses; and (4) manufacturing uses.

Sec. 2-56. Vehicle Parking Space.

The words "vehicle parking space" shall be construed to mean space provided for vehicular parking outside the dedicated street right-of-way, having dimensions of not less than nine (9) feet in width and eighteen (18) feet in depth for each vehicle space, exclusive of any necessary area for ingress and egress. (amended 2/26/03)

Sec. 2-56.1. Vehicle Storage Area.

The words "vehicle storage area" shall be construed to mean any premises or space exposed to the weather used for the storage of towed, abandoned, or damaged vehicles. No vehicle shall remain on such premises for a period exceeding sixty (60) days. This definition shall not be construed to permit salvage or wrecking operations upon the premises.

Sec. 2-56.2. Water Area.

The words "water area" shall be construed to mean the area of ponds, lakes, rivers, streams, or other impounded water bodies and associated marshlands and wetlands.

Sec. 2-57. Yard.

The word "yard" shall be construed to mean an open space, other than a court, on the same lot with a building or group of buildings, which open space lies between the building or group of buildings and a lot line, and is unoccupied or unobstructed from the ground upward.

Sec. 2-58. Yard, Front.

The words "front yard" shall be construed to mean a yard extending across the full width of the lot and lying between the nearest building line and the front lot line or proposed highway right-of-way line, as set forth in Section 18-15.1 hereof.

Sec. 2-59. Yard, Rear.

The words "rear yard" shall be construed to mean a yard extending across the full width of the lot and lying between the nearest line of the building and the rear lot line or proposed highway right-of-way line, as set forth in Section 18-15.1. hereof.

Sec. 2-60. Yard, Side.

The words "side yard" shall be construed to mean a yard extending from the front yard to the rear yard, or to the respective lot line if no such yard exists, and lying between the nearest line of the building and the side lot line or proposed highway right-of-way line, as set forth in Section 18-15.1. hereof.